
IN THE SENATE OF THE UNITED STATES.

FEBRUARY 12, 1853.

Read twice, and referred to the Committee on Territories.

FEBRUARY 17, 1853.

Reported with amendments, viz: Strike out the word [Washington] wherever it occurs, and insert in lieu thereof the word "*Washingtonia*."

AN ACT

To establish the Territorial Government of [Washington] *Washingtonia*.

1 *Be it enacted by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled, That*
3 from and after the passage of this act, all that portion of Ore-
4 gon Territory lying and being south of the forty-ninth degree
5 of north latitude, and north of the middle of the main chan-
6 nel of the Columbia river, from its mouth to where the forty-
7 sixth degree of north latitude crosses said river, near Fort
8 Walla-walla, thence with said forty-sixth degree of latitude to
9 the summit of the Rocky Mountains, be organized into and
10 constitute a temporary government, by the name of the Ter-
11 ritory of [Washington] *Washingtonia: Provided, That no-*
12 thing in this act contained shall be construed to affect the au-
13 thority of the government of the United States to make any
14 regulation respecting the Indians of said Territory, their lands,

15 property, or other rights, by treaty, law, or otherwise, which
 16 it would have been competent to the government to make if
 17 this act had never been passed: *Provided further*, That the title
 18 to the land, not exceeding six hundred and forty acres, now oc-
 19 cupied as missionary stations among the Indian tribes in said
 20 Territory, or that may have been so occupied as missionary
 21 stations prior to the passage of the act establishing the Territo-
 22 rial government of Oregon, together with the improvements
 23 thereon, be, and is hereby, confirmed and established to the
 24 several religious societies to which said missionary stations re-
 25 spectively belong.

1 SEC. 2. *And be it further enacted*, That the executive
 2 power and authority in and over said Territory of [Washing-
 3 ton] *Washingtonia* shall be vested in a governor, who shall
 4 hold his office for four years, and until his successor shall be
 5 appointed and qualified, unless sooner removed by the President
 6 of the United States. The governor shall reside in said Ter-
 7 ritory, shall be the commander-in-chief of the militia thereof,
 8 shall perform the duties and receive the emoluments of super-
 9 intendent of Indian affairs; he may grant pardons and remit
 10 fines and forfeitures for offences against the laws of said Terri-
 11 tory, and respites for offences against the laws of the United
 12 States until the decision of the President can be made known
 13 thereon; he shall commission all officers who shall be appointed
 14 to office under the laws of the said Territory, where, by law,

15 such commissions shall be required, and shall take care that the
16 laws be faithfully executed.

1 SEC. 3. *And be it further enacted,* That there shall be
2 a secretary of said Territory, who shall reside therein, and
3 hold his office for four years, unless sooner removed by the
4 President of the United States; he shall record and pre-
5 serve all the laws and proceedings of the legislative as-
6 sembly hereinafter constituted, and all the acts and pro-
7 ceedings of the governor in his executive department; he
8 shall transmit one copy of the laws and journals of the legis-
9 lative assembly within thirty days after the end of each ses-
10 sion, and one copy of the executive proceedings and official
11 correspondence semi-annually, on the first days of January and
12 July in each year, to the President of the United States, and
13 two copies of the laws to the President of the Senate and to
14 the Speaker of the House of Representatives, for the use of
15 Congress. And in case of the death, removal, resignation, or
16 absence of the governor from the Territory, the secretary shall
17 be, and he is hereby, authorized and required to execute and
18 perform all the powers and duties of the governor during
19 such vacancy or absence, or until another governor shall be
20 duly appointed and qualified to fill such vacancy.

1 SEC. 4. *And be it further enacted,* That the legislative
2 power and authority of said Territory shall be vested in a legis-
3 lative assembly, which shall consist of a council and house of

4 representatives. The council shall consist of nine members,
5 having the qualifications of voters, as hereinafter prescribed,
6 whose term of service shall continue three years. Immediately
7 after they shall be assembled, in consequence of their first
8 election, they shall be divided as equally as may be into three
9 classes. The seats of the members of council of the first class
10 shall be vacated at the expiration of the first year, of the
11 second class at the expiration of the second year, and of the
12 third class at the expiration of the third year, so that one-third
13 may be chosen every year; and if vacancies happen, by re-
14 signation or otherwise, the same shall be filled at the next en-
15 suing election. The house of representatives shall, at its first
16 session, consist of eighteen members, possessing the same quali-
17 fications as prescribed for members of the council, and whose
18 term of service shall continue one year. The number of repre-
19 sentatives may be increased by the legislative assembly, from
20 time to time, in proportion to the increase of qualified voters :
21 *Provided*, That the whole number shall never exceed thirty.
22 An apportionment shall be made, as nearly equal as practicable,
23 among the several counties or districts, for the election of the
24 council and representatives, giving to each section of the Ter-
25 ritory representation in the ratio of its qualified voters, as nearly
26 as may be. And the members of the council and of the house
27 of representatives shall reside in, and be inhabitants of, the
28 district or county, or counties, for which they may be elected,

29 respectively. Previous to the first election, the governor shall
30 cause a census or enumeration of the inhabitants and qualified
31 voters of the several counties and districts of the Territory to
32 be taken, by such persons, and in such mode, as the governor
33 shall designate and appoint; and the persons so appointed shall
34 receive a reasonable compensation therefor. And the first elec-
35 tion shall be held at such time and places, and be conducted in
36 such manner, both as to the persons who shall superintend such
37 election and the returns thereof, as the governor shall appoint
38 and direct; and he shall at the same time declare the number
39 of members of the council and house of representatives to
40 which each of the counties or districts shall be entitled under
41 this act; and the governor shall, by his proclamation, give at
42 least sixty days' previous notice of such apportionment, and of
43 the time, places, and manner of holding such election. The per-
44 sons having the highest number of legal votes in each of said
45 council districts for members of the council shall be declared
46 by the governor to be duly elected to the council, and the per-
47 sons having the highest number of legal votes for the house of
48 representatives shall be declared by the governor to be duly
49 elected members of said house: *Provided*, That in case two or
50 more persons voted for shall have an equal number of votes,
51 and in case a vacancy shall otherwise occur in either branch
52 of the legislative assembly, the governor shall order a new elec-
53 tion; and the persons thus elected to the legislative assembly

54 shall meet at such place, and on such day, within ninety days
 55 after such elections, as the governor shall appoint. But there-
 56 after the time, place, and manner of holding and conducting all
 57 elections by the people, and the apportioning the representa-
 58 tion in the several counties or districts to the council and house
 59 of representatives, according to the number of qualified voters,
 60 shall be prescribed by law, as well as the day of the commence-
 61 ment of the regular session of the legislative assembly : *Pro-*
 62 *vided*, That no session in any one year shall exceed the term
 63 of sixty days, except the first session, which shall not exceed
 64 one hundred days.

1 SEC. 5. *And be it further enacted*, That every white male
 2 inhabitant above the age of twenty-one years, who shall have
 3 been a resident of said Territory at the time of the passage of
 4 this act, and shall possess the qualifications hereinafter pre-
 5 scribed, shall be entitled to vote at the first election, and shall
 6 be eligible to any office within the said Territory; but the
 7 qualifications of voters and of holding office at all subsequent
 8 elections shall be such as shall be prescribed by the legislative
 9 assembly : *Provided*, That the right of suffrage and of holding
 10 office shall be exercised only by citizens of the United States
 11 above the age of twenty-one years, and those above that age
 12 who shall have declared on oath their intention to become such,
 13 and shall have taken an oath to support the constitution of the
 14 United States and the provisions of this act : *And provided*

15 *further*, That no officer, soldier, seaman, mariner, or other
 16 person in the army or navy of the United States, or attached
 17 to troops in the service of the United States, shall be allowed to
 18 vote in said Territory, by reason of being on service therein,
 19 unless said Territory is, and has been for the period of six
 20 months, his permanent domicil: *Provided further*, That no
 21 person belonging to the army or navy of the United States shall
 22 ever be elected to or hold any civil office or appointment in
 23 said Territory.

1 SEC. 6. *And be it further enacted*, That the legislative
 2 power of the Territory shall extend to all rightful subjects of
 3 legislation not inconsistent with the constitution and laws of
 4 the United States. But no law shall be passed interfering with
 5 the primary disposal of the soil; no tax shall be imposed upon
 6 the property of the United States; nor shall the lands or other
 7 property of non-residents be taxed higher than the lands or
 8 other property of residents. All the laws passed by the legis-
 9 lative assembly shall be submitted to the Congress of the
 10 United States, and, if disapproved, shall be null and of no
 11 effect: *Provided*, That nothing in this act shall be construed
 12 to give power to incorporate a bank or any institution with
 13 banking powers, or to borrow money in the name of the Ter-
 14 ritory, or to pledge the faith of the people of the same for any
 15 loan whatever, directly or indirectly. No charter granting any
 16 privileges of making, issuing, or putting into circulation any

17 notes or bills in the likeness of bank notes, or any bonds, scrip,
 18 drafts, bills of exchange, or obligations, or granting any other
 19 banking powers or privileges, shall be passed by the legislative
 20 assembly; nor shall the establishment of any branch or agency
 21 of any such corporation, derived from other authority, be
 22 allowed in said Territory; nor shall said legislative assembly
 23 authorize the issue of any obligation, scrip, or evidence of
 24 debt, by said Territory, in any mode or manner whatever, ex-
 25 cept certificates for service to said Territory. And all such
 26 laws, or any law or laws inconsistent with the provisions of
 27 this act, shall be utterly null and void. And all taxes shall be
 28 equal and uniform; and no distinctions shall be made in the
 29 assessments between different kinds of property, but the assess-
 30 ments shall be according to the value thereof. To avoid im-
 31 proper influences, which may result from intermixing in one
 32 and the same act such things as have no proper relation to
 33 each other, every law shall embrace but one object, and that
 34 shall be expressed in the title.

1 SEC. 7. *And be it further enacted,* That all township,
 2 district, and county officers not herein otherwise provided for
 3 shall be appointed or elected in such manner as shall be pro-
 4 vided by the legislative assembly of the Territory of [Wash-
 5 ington] *Washingtonia*.

1 SEC. 8. *And be it further enacted,* That no member of

2 the legislative assembly shall hold or be appointed to any office
 3 which shall have been created, or the salary or emoluments of
 4 which shall have been increased while he was a member,
 5 during the term for which he was elected and for one year
 6 after the expiration of such term; but this restriction shall not
 7 be applicable to members of the first legislative assembly; and
 8 no person holding a commission or appointment under the
 9 United States shall be a member of the legislative assembly, or
 10 shall hold any office under the government of said Territory.

1 *SEC. 9. And be it further enacted,* That the judicial power
 2 of said Territory shall be vested in a supreme court, district
 3 courts, probate courts, and in justices of the peace. The su-
 4 preme court shall consist of a chief justice and two associate
 5 justices, any two of whom shall constitute a quorum, and who
 6 shall hold a term at the seat of government of said Territory
 7 annually; and they shall hold their offices during the period of
 8 four years, and until their successors shall be appointed and
 9 qualified. The said Territory shall be divided into three judi-
 10 cial districts, and a district court shall be held in each of said
 11 districts by one of the justices of the supreme court, at such
 12 times and places as may be prescribed by law; and the said
 13 judges shall, after their appointments, respectively reside in the
 14 districts which shall be assigned them. The jurisdiction of
 15 the several courts herein provided for, both appellate and ori-

16 ginal; and that of the probate courts and of justices of the
17 peace, shall be as limited by law : *Provided*, That justices of
18 the peace shall not have jurisdiction of any case in which the
19 title to land shall in any wise come in question, or where the
20 debt or damages claimed shall exceed one hundred dollars; and
21 the said supreme and district courts respectively shall possess
22 chancery as well as common law jurisdiction. Each district
23 court, or the judge thereof, shall appoint its clerk, who shall
24 also be the register in chancery, and shall keep his office at
25 the place where the court may be held. Writs of error, bills
26 of exception, and appeals, shall be allowed in all cases from the
27 final decisions of said district court to the supreme court, under
28 such regulations as may be prescribed by law ; but in no case
29 removed to the supreme court shall trial by jury be allowed in
30 said court. The supreme court, or the justices thereof, shall
31 appoint its own clerk, and every clerk shall hold his office at
32 the pleasure of the court for which he shall have been ap-
33 pointed. Writs of error, and appeals from the final decisions
34 of said supreme court, shall be allowed, and may be taken to the
35 Supreme Court of the United States, in the same manner and
36 under the same regulations as from the circuit court of the Uni-
37 ted States, where the value of the property, or the amount in con-
38 troversy, to be ascertained by the oath or affirmation of either
39 party, or other competent witness, shall exceed two thousand
40 dollars, and in all cases where the constitution of the United

41 States, or acts of Congress, or a treaty of the United States,
42 is brought in question; and each of the said district courts
43 shall have and exercise the same jurisdiction in all cases arising
44 under the constitution of the United States and the laws of
45 said Territory, as is vested in the circuit and district courts of
46 the United States; writs of error and appeal in all such cases
47 shall be made to the supreme court of said Territory the same
48 as in other cases. Writs of error, and appeals from the final
49 decisions of said supreme court, shall be allowed and may be
50 taken to the Supreme Court of the United States in the same
51 manner as from the circuit courts of the United States, where
52 the value of the property, or the amount in controversy, shall
53 exceed two thousand dollars, and each of said district courts
54 shall have and exercise the same jurisdiction, in all cases arising
55 under the constitution and laws of the United States, as is
56 vested in the circuit and district courts of the United States;
57 and also of all cases arising under the laws of said Territory,
58 and otherwise. The said clerk shall receive in all such cases
59 the same fees which the clerks of the district courts of the
60 Territory of Oregon receive for similar services.

1 SEC. 10. *And be it further enacted,* That there shall be
2 appointed an attorney for said Territory, who shall continue in
3 office for four years and until his successor shall be appointed
4 and qualified, unless sooner removed by the President, and
5 who shall receive the same fees and salary as is provided by

6 law for the attorney of the United States for the Territory of
7 Oregon. There shall also be a marshal for the Territory ap-
8 pointed, who shall hold his office for four years and until his
9 successor shall be appointed and qualified, unless sooner re-
10 moved by the President, and who shall execute all processes
11 issuing from the said courts when exercising their jurisdiction
12 as circuit and district courts of the United States; he shall
13 perform the duties, be subject to the same regulation and pen-
14 alties, and be entitled to the same fees, as are provided by law
15 for the marshal of the Territory of Oregon, and shall, in ad-
16 dition, be paid the sum of two hundred dollars annually as a
17 compensation for extra services.

1 SEC. 11. *And be it further enacted*, That the governor,
2 secretary, chief justice and associate justices, attorney and mar-
3 shal, shall be nominated, and, by and with the advice and con-
4 sent of the Senate, appointed by the President of the United
5 States. The governor and secretary to be appointed as afore-
6 said shall, before they act as such, respectively take an oath or
7 affirmation before the district judge, or some justice of the
8 peace in the limits of said Territory duly authorized to admin-
9 ister oaths and affirmations by the laws in force therein, or
10 before the chief justice or some associate justice of the Su-
11 preme Court of the United States, to support the constitution
12 of the United States, and faithfully to discharge the duties of
13 their respective offices, which said oaths, when so taken, shall

14 be certified by the person before whom the same shall have been
15 taken; and such certificates shall be received and recorded by
16 the said secretary among the executive proceedings; and the
17 chief justice and associate justices, and all other civil officers
18 in said Territory, before they act as such, shall take a like oath
19 or affirmation before the said governor or secretary, or some
20 judge or justice of the peace of the Territory who may be
21 duly commissioned and qualified, which said oath or affirma-
22 tion shall be certified and transmitted, by the person taking the
23 same, to the secretary, to be by him recorded as aforesaid; and
24 afterwards, the like oath or affirmation shall be taken, certified,
25 and recorded in such manner and form as may be prescribed
26 by law. The governor shall receive an annual salary of fifteen
27 hundred dollars as governor, and fifteen hundred dollars as
28 superintendent of Indian affairs. The chief justice, and asso-
29 ciate justices, shall each receive an annual salary of two thou-
30 sand dollars. The secretary shall receive an annual salary of
31 fifteen hundred dollars. The said salaries shall be paid quarter-
32 yearly, from the dates of the respective appointments, at the
33 treasury of the United States; but no such payment shall be
34 made until said officers shall have entered upon the duties of
35 their respective appointments. The members of the legisla-
36 tive assembly shall be entitled to receive three dollars each per
37 day during their attendance at the session thereof, and three
38 dollars each for every twenty miles' travel in going to and re-

39 turning from said sessions, estimated according to the nearest
40 usually travelled route. And a chief clerk, one assistant clerk,
41 a sergeant-at-arms, and door-keeper, may be chosen for each
42 house ; and the chief clerk shall receive five dollars per day,
43 and the said other officers three dollars per day, during the ses-
44 sion of the legislative assembly ; but no other officers shall be
45 paid by the United States : *Provided*, That there shall be but
46 one session of the legislative assembly annually, unless, on an
47 extraordinary occasion, the governor shall deem it expedient
48 and proper to call the legislature together. There shall be
49 appropriated, annually, the sum of fifteen hundred dollars, to
50 be expended by the governor, to defray the contingent ex-
51 penses of the Territory, including the salary of a clerk of the
52 executive department ; and there shall also be appropriated,
53 annually, a sufficient sum to be expended by the secretary of
54 the Territory, and upon an estimate to be made by the Sec-
55 retary of the Treasury of the United States, to defray the ex-
56 penses of the legislative assembly, the printing of the laws,
57 and other incidental expenses ; and the governor and secretary
58 of the Territory shall, in the disbursement of all moneys in-
59 trusted to them, be governed solely by the instructions of the
60 Secretary of the Treasury of the United States, and shall, semi-
61 annually, account to the said Secretary for the manner in which
62 the aforesaid sums of money shall have been expended ; and no
63 expenditure, to be paid out of money appropriated by Con-

gress, shall be made by said legislative assembly for objects not specially authorized by the acts of Congress making the appropriations, nor beyond the sums thus appropriated for such objects.

SEC. 12. *And be it further enacted*, That the laws now in force in said Territory of [Washington,] *Washingtonia*, by virtue of the legislation of Congress in reference to the Territory of Oregon, which have been enacted and passed subsequent to the first day of September, eighteen hundred and forty-eight, applicable to the said Territory of [Washington,] *Washingtonia*, together with the legislative enactments of the Territory of Oregon, enacted and passed prior to the passage of, and not inconsistent with, the provisions of this act, and applicable to the said Territory of [Washington,] *Washingtonia*, be, and they are hereby, continued in force in said Territory of [Washington] *Washingtonia* until they shall be repealed or amended by future legislation.

SEC. 13. *And be it further enacted*, That the legislative assembly of the Territory of [Washington] *Washingtonia* shall hold its first session at such time and place in said Territory as the governor thereof shall appoint and direct; and at said first session, or as soon thereafter as they shall deem expedient, the legislative assembly shall proceed to locate and establish the seat of government for said Territory at such place as they may deem eligible; which place, however, shall thereafter be

9 subject to be changed by said legislative assembly. And the
 10 sum of five thousand dollars, out of any money in the treasury
 11 not otherwise appropriated, is hereby appropriated and granted
 12 to said Territory of [Washington,] *Washingtonia*, to be there
 13 applied by the governor to the erection of suitable buildings at
 14 the seat of government.

1 SEC. 14. *And be it further enacted*, That a delegate to
 2 the House of Representatives of the United States, to serve
 3 for the term of two years, who shall be a citizen of the United
 4 States, may be elected by the voters qualified to elect members
 5 of the legislative assembly, who shall be entitled to the same
 6 rights and privileges as have been heretofore exercised and
 7 enjoyed by the delegates from the several other Territories of
 8 the United States to the House of Representatives, but the
 9 delegate first elected shall hold his seat only during the term
 10 of the Congress to which he shall be elected. The first elec-
 11 tion shall be held at such time and places, and be conducted in
 12 such manner, as the governor shall appoint and direct; of
 13 which, and the time, place, and manner of holding such elec-
 14 tions, he shall give at least sixty days' notice by proclamation;
 15 and at all subsequent elections the time, places, and manner
 16 of holding the elections shall be prescribed by law. The
 17 person having the greatest number of votes shall be declared
 18 by the governor to be duly elected, and a certificate thereof

19 shall be given accordingly. The delegate from said Territory
20 shall be entitled to receive the same per diem compensation
21 and mileage at present allowed the delegate from the Territory
22 of Oregon.

1 SEC. 15. *And be it further enacted*, That all suits, complaints,
2 process, and proceedings, civil and criminal, at law and in
3 chancery, and all indictments and informations, which shall be
4 pending and undetermined in the courts established within and
5 for said Territory of Oregon, by act of Congress entitled
6 “An act to establish the territorial government of Oregon,”
7 approved August fourteen, one thousand eight hundred and
8 forty-eight, wherein the venue in said causes, suits at law, or
9 in chancery, or criminal proceedings, shall be included within
10 the limits hereinbefore declared and established for the said
11 Territory of [Washington] *Washingtonia*; then, and in that
12 case, said actions so pending in the supreme or circuit courts
13 of the Territory of Oregon shall be, by the clerks of said courts,
14 duly certified to the proper courts of said Territory of [Wash-
15 ington] *Washingtonia*; and thereupon said causes shall, in all
16 things concerning the same, be proceeded on, and judgments,
17 verdicts, decrees, and sentences rendered thereon, in the same
18 manner as if the said Territory had not been divided. All
19 bonds, recognizances, and obligations of every kind whatsoever,
20 valid, under the existing laws, within the limits of said Terri-

21 tory of Oregon, shall be held valid under this act, and all crimes
 22 and misdemeanors against the laws now in force within the said
 23 limits of the Territory of [Washington] *Washingtonia* may be
 24 prosecuted, tried, and punished in the courts established by
 25 this act, and all penalties, forfeitures, actions, and causes of
 26 action, may be recovered and enforced, under this act, before
 27 the supreme and circuit courts established by this act as afore-
 28 said : *Provided*, That no right of action whatever shall accrue
 29 against any person for any act done in pursuance of any law
 30 heretofore passed by the legislative assembly of the Territory
 31 of Oregon, and which may be declared contrary to the consti-
 32 tution or laws of the United States.

1 SEC. 16. *And be it further enacted*, That all justices of
 2 the peace, constables, sheriffs, and other judicial and ministerial
 3 officers, who shall be in office within the limits of said Terri-
 4 tory of [Washington] *Washingtonia* when this act shall take
 5 effect, shall be and they are hereby authorized and required to
 6 continue to exercise and perform the duties of their respective
 7 offices, as officers of said Territory, until they or others shall
 8 be duly elected or appointed, and qualified, to fill their places
 9 in the manner herein directed, or until their offices shall be
 10 abolished.

1 SEC. 17. *And be it further enacted*, That the sum of five
 2 thousand dollars be, and the same is hereby, appropriated out
 3 of any moneys in the treasury not otherwise appropriated, to

4 be expended, by and under the direction of the governor of
 5 [Washington] *Washingtonia*, in the purchase of a library, to
 6 be kept at the seat of government for the use of the governor,
 7 legislative assembly, judges of the supreme court, secretary,
 8 marshal, and attorney of said Territory, and such other per-
 9 sons and under such regulations as shall be prescribed by law.

1 SEC. 18. *And be it further enacted*, That until otherwise
 2 provided for by law, the governor of said Territory may define
 3 the judicial districts of said Territory and assign the judges
 4 who may be appointed for said Territory to the several dis-
 5 tricts, and also appoint the times and places for holding courts
 6 in the several counties or subdivisions in each of said judicial
 7 districts by proclamation, to be issued by him; but the legis-
 8 lative assembly, at their first or any subsequent session, may
 9 organize, alter, or modify such judicial districts, and assign the
 10 judges, and alter the times and places of holding the courts, as
 11 to them shall seem expedient and proper.

1 SEC. 19. *And be it further enacted*, That all officers to
 2 be appointed by the President, by and with the advice and
 3 consent of the Senate, for the Territory of [Washington,]
 4 *Washingtonia*, who, by virtue of the provisions of any law of
 5 Congress now existing, or which may be enacted during the
 6 present session of Congress, are required to give security for
 7 moneys that may be intrusted with them for disbursement,

8 shall give such security at such time and place, and in such
9 manner, as the Secretary of the Treasury may prescribe.

1 SEC. 20. *And be it further enacted*, That when the lands
2 in said Territory shall be surveyed under the direction of the
3 government of the United States, preparatory to bringing the
4 same into market or otherwise disposing thereof, sections
5 numbered sixteen and thirty-six in each township in said Ter-
6 ritory shall be, and the same are hereby, reserved for the pur-
7 pose of being applied to common schools in said Territory.
8 And in all cases where said sections sixteen and thirty-six, or
9 either or any of them, shall be occupied by actual settlers prior
10 to survey thereof, the county commissioners of the counties in
11 which said sections so occupied as aforesaid are situated, be,
12 and they are hereby, authorized to locate other lands to an
13 equal amount in sections, or fractional sections, as the case may
14 be, within their respective counties, in lieu of said sections so
15 occupied as aforesaid.

1 SEC. 21. *And be it further enacted*, That the Territory
2 of Oregon and the Territory of [Washington] *Washingtonia*
3 shall have concurrent jurisdiction over all offences committed
4 on the Columbia river, where said river forms a common
5 boundary between said Territories.